

**State of California  
California Regional Water Quality Control Board  
Colorado River Basin Region**

**MINUTES OF BOARD MEETING**

March 9, 2021, 9:00 a.m. to 10:45 a.m.

**Zoom Video and Teleconference Meeting Only**

Archived audio and video webcasts of Board meetings are available at the following link:

<https://cal-span.org/static/meetings-RWQCB-CC.php>

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**Board Member Roll Call and Introductions**

Nancy Wright, Jayne Powell, Ed Muzik, and Peter Satin were present. The Board Clerk stated that a quorum was present.

The virtual meeting via Zoom was called to order by Board Chair Nancy Wright at 9:00 a.m. on March 9, 2021.

**State and Regional Water Board Staff Present**

Paula Rasmussen, Cassandra Owens, Katharine Buddingh, Laurel Firestone, Mary Castaneda, CJ Jasieniecki, Dan Mefford, Hilda Vasquez, Adriana Godinez, Zak Owens, Maribel Pizano, Carly Nilson, Tim Middlemis-Clark, Patrick Lewis, Paul Ciccarelli, Kai Dunn, and Jose Cortez.

**Virtual Public Attendance**

Oswaldo Flores, CalEnergy Corporation  
Bryan Whitcomb, CalEnergy Corporation  
Jon Trujillo, CalEnergy Corporation  
Jenny Wu, CalEnergy Corporation  
Emily Murray, Kent SeaTech, LLC  
Claudia Hertzog, Kent SeaTech, LLC  
Lauren Chase, Coachella Valley Water Keeper  
Rainie Torrance, City of Needles  
Bill Sutman, NCA Management Co., LLC

**Public Forum**

There were no public speakers during the Public Forum.

**1. Approval of Minutes**

Minutes of February 9, 2021 Board Meeting.

Motion: Jayne Powell moved, Peter Satin seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Ed Muzik – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt the minutes of the February 9, 2021 Board meeting.

2. State Water Board Liaison Update [Laurel Firestone, State Water Board Liaison]

Laurel Firestone provided an informational update on various State Water Board activities.

**Contested and Discussion Items**

3. R7-2021-0008 – Consideration of adoption of Waste Discharge Requirements for CalEnergy Corporation et al., Region 1 Salton Sea Power Plant Units 1-5, Calipatria, Imperial County [Zak Owens, EG]

Chair Wright proposed that this item be voted on without a hearing due to the discharger's decision not to contest the order. After a few clarifying questions on the permit which were answered by Regional Water Board staff, the Board moved for adoption of the item.

Motion: Ed Muzik moved, Jayne Powell seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Ed Muzik – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2021-0008 with changes in Response to Comments.

4. R7-2021-0009 – Consideration of adoption of Conditional Settlement Offer for Kent SeaTech, LLC, Kent SeaTech Corporation Fish Farm, Riverside County [Maribel Pizano, SEA]

Maribel Pizano, Sanitary Engineering Associate, presented the proposed conditional settlement offer for Kent SeaTech, LLC, the discharger who owns/operates Kent SeaTech Corporation Fish Farm, to resolve 28 alleged violations of Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) Permit Order R7-2016-0035, all of which were subject to mandatory minimum penalties (MMPs). The settlement amount agreed upon was \$84,000.

Speakers: Lauren Chase, Coachella Valley Water Keeper  
Emily Murray, Esq., Kent SeaTech, LLC

Motion: Jayne Powell moved, Peter Satin seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Ed Muzik – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2021-0009 as presented.

5. R7-2021-0014 – Consideration of adoption of Stipulated Administrative Civil Liability Order in the Matter of NCA Management Co., LLC, San Bernardino County [Cassandra Owens, AEO]

Cassandra Owens, Assistant Executive Officer, provided introductory remarks, followed by presentations from Prosecution Team Members Patrick Lewis, Attorney in the State Water Board's Office of Enforcement, Carly Nilson, Environmental Scientist with the Lahontan Water Board, and Timothy Middlemis-Clark, Water Resources Control Engineer with the Lahontan Water Board. The Prosecution Team provided background on the Administrative Civil Liability Complaint issued against NCA Management Co., LLC for alleged violations of the State Water Board's Cannabis Conditional Waiver at a cannabis cultivation site located in the City of Needles. Following settlement discussions, the parties agreed to resolve the allegations through a Stipulated Civil Liability Order in the amount of \$125,000, which would be used to fund a Supplemental Environmental Project (SEP) for the City of Needles to improve its drinking water supply infrastructure.

Lahontan Water Board staff addressed questions and concerns from the Board, and Patrick Lewis, State Water Board Attorney in the Office of Enforcement, provided clarification on specific terms of the settlement agreement.

Speakers: Bill Sutman, NCA Management Co., LLC  
Rainie Torrance, City of Needles

Motion: Ed Muzik moved, Jayne Powell seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Ed Muzik – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2021-0014 as presented.

Chair Wright thanked NCA Management Co., LLC for its willingness to complete a SEP as part of settlement.

### **Informational Items**

6. Colorado River Basin Water Board Executive Officer's Report [*Paula Rasmussen, EO*]

Ms. Rasmussen reported that the contract for the New River Improvement Project is being finalized by the Department of Water Resources and the City of Calexico and is expected to be completed this month. She also reported that a \$400,000 contract was executed between the State Water Board and the U.S. Geological Survey (USGS) in February, which will extend through March 2023. The USGS will collect and compile groundwater data in the Indio Subbasin of the Coachella Valley Groundwater Basin, which will be used to establish site specific, numeric water quality objectives for that subbasin.

Ms. Rasmussen stated that the State Water Board awarded \$97.9 million in Proposition 1 funds for 24 cities, counties, and special districts statewide to capture stormwater and put it to beneficial use for communities. In the Colorado River Basin Region, Pueblo Unido CDC was awarded \$1.14 million for a stormwater capture project. She also stated that the Water Solutions Network held a summit at the end of February. She explained that the Water Solutions Network is a forum in which stakeholders are brought together in cohorts to develop and build relationships, trust, and skills. She noted that members included stakeholders from the Colorado River Basin and the Klamath River watersheds.

She mentioned that the State Water Board will hold a public workshop on March 17, 2021 to receive information and solicit public input regarding the Salton Sea Management Program. The Regional Water Board has been invited to participate and will provide an update on projects relating to the Salton Sea. She also mentioned that the Regional Water Board just issued a Section 401 Water Quality Certification for the Salton Sea North Shore Beach and Yacht Club dredging project, which is projected to start this month and be completed within 6 months.

#### 7. Colorado River Basin Water Board Member Comments

Board Member Muzik thanked Ms. Rasmussen and Regional Water Board staff on the excellent presentations provided to the Board. He added that Yucca Valley property owners that incur \$4,000-\$5,000 in mitigating fees due to the Joshua Tree listing can apply for financial assistance from the State Revolving Fund.

Board Member Satin echoed Mr. Muzik's remarks on the presentations provided and stated that he was pleased to see a SEP as part of a settlement and hopes to see that program expand in the future.

Vice Chair Powell concurred with Board Members Muzik and Satin, and stated that she too supports SEPs, which benefit local communities.

#### 8. Colorado River Basin Water Board Chair's Report

Chair Wright mentioned an article on a new bill aimed at addressing pollution along the U.S.-Mexico border and improving water quality in the Tijuana and New Rivers was introduced Wednesday. She also mentioned the Chairs Meeting will be held on May 14.

#### 9. Closed Session

There was no closed session held.

### **Adjournment**

The meeting was adjourned at 10:35 a.m.

Next Board Meeting/Workshop

April 13, 2021